

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARRINGTON MORTGAGE :
SERVICES LLC-DUNS & :
BROADSTREET #939795238, :
Plaintiff, :
: :
v. : CIVIL ACTION NO. 23-CV-3729
: :
DENIYA SMITH, :
Defendant. :
:

ORDER

AND NOW, this 18th day of October, 2023, upon consideration of Defendant Deniya Smith's Notice of Removal (ECF No. 2), and Motion to Proceed *In Forma Pauperis* (ECF No. 1), and for the reasons stated in the Court's accompanying Memorandum, it is **ORDERED** that:

1. This case is **REMANDED** to the Philadelphia Court of Common Pleas pursuant to 28 U.S.C. § 1447(c) because this Court lacks subject matter jurisdiction.
2. The Motion to Proceed *In Forma Pauperis* (ECF No. 1) is **DENIED AS MOOT**.
3. Smith is **ENJOINED**, pursuant to the All Writs Act, 28 U.S.C. § 1651(a) from filing any new notices of removal (regardless of how the document is titled) seeking to remove the underlying state court case of *Carrington Mortgage Servs., LLC v. Smith*, No. 230601442 (C.P. Phila.), or filing any additional documents in this action or her prior removal actions, Civil Action Numbers 23-3376 and 23-3446, apart from a notice of appeal.
4. The Clerk of Court **SHALL NOT DOCKET** any notices of removal (regardless of how the document is titled) filed by Smith seeking to remove the underlying state court case of *Carrington Mortgage Servs., LLC v. Smith*, No. 230601442 (C.P. Phila.) to this Court, nor shall the Clerk of Court docket any additional filing in this case or Civil Action Numbers 23-

3376 and 23-3446, apart from a notice of appeal. If any filing is received that is covered by this injunction, the Clerk of Court shall **RETURN** the filing to Smith without docketing it, along with a copy of this order. No notice of removal that Smith attempts to file following this injunction will be effective to deprive the Philadelphia Court of Common Pleas of jurisdiction over *Carrington Mortgage Servs., LLC v. Smith*, No. 230601442 (C.P. Phila.).

5. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Harvey Bartle III

HARVEY BARTLE III, J.